

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11 February 2008 has been entered.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the

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examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 14-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hettinga (U.S. Patent 5,902,525 A) in combination with Su et al (U.S. Patent 6,099,763 A).

Hettinga (see the entire document, in particular, col. 6, lines 15-18 and 49-51; col. 8, lines 16-63; col. 10, lines 11-12) teaches a process of molding an organic material as claimed, except that Hettinga does not explicitly teach making optical components or polymerizing in a mold. Su et al (see the entire document, in particular, the abstract; col. 5, lines 24-40) teaches a process of molding an organic material including the manufacture of optical components and polymerizing in a mold, and such would have been obvious to one of ordinary skill in the art at the time the invention was made in the process of Hettinga in view of Su et al principally in order to manufacture desired products (e.g., optical components) by using a process that reduces splashing or spraying of material. Regarding the newly-added limitation of filling a molding cavity with a liquid material at substantially constant pressure, Hettinga meets this limitation because Hettinga, like the instant process, supplies a molding cavity with liquid material at a desired and determined pressure which, while possibly variable, is free of any sudden fluctuations (compare with paragraph [0040] of the publication or page 7, lines 8-20 of the instant specification). Furthermore,

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all of the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed with no change in their respective function, and the combination would have yielded nothing more than predictable results to one of ordinary skill in the art at the time the invention was made (KSR International Co. v. Teleflex Inc., 550 U.S. ___, 82 USPQ2d 1385 (2007)).

Response to Arguments

5. Applicant's arguments filed on 11 February 2008 have been fully considered but they are not persuasive.

6. Applicant argues (page 6) that Hettinga does not teach filling a molding cavity with a liquid material at substantially constant pressure. Examiner responds that Hettinga meets this limitation because Hettinga, like the instant process, supplies a molding cavity with liquid material at a desired and determined pressure which, while possibly variable, is free of any sudden fluctuations (compare with paragraph [0040] of the publication or page 7, lines 8-20 of the instant specification).

7. Applicant argues (page 6) that Su et al does not teach how to vary the flow rate. Examiner responds that Hettinga teaches how to vary the flow rate.

8. Applicant argues (pages 6 and 7) that Su et al teaches the use of thermoset materials which is incompatible with the teachings of thermoplastic materials of Hettinga. Examiner responds that Su et al also teaches the use of thermoplastic materials.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leo B. Tentoni whose telephone number is (571) 272-1209. The examiner can normally be reached on Monday - Friday (6:30 A.M. - 3:00 P.M.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina A. Johnson can be reached on (571) 272-1176. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Leo B. Tentoni/
Primary Examiner, Art Unit 1791

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